

United States District Court
Southern District of Texas
FILED

MAY 11 2009

Michael N. Milby
Clerk of Court

U.S. Courts
Texas Southern District Court
1212 Bob Casey
United States Courthouse
515 Rusk Street
Houston TX 77002-2600

May 7 2009

Re: Freedom of Information Act Request

Dear Sir

This is a request under the freedom of Information Act. I Request that a copy of the following documents.

- Morning reports & Personnel Rosters, Payroll, Military Orders
HQ & HHC 4th Battalion, 21st infantry, 11th light Infantry Brigade for the period of November 1967 to April 9 1969 Located at the National Personnel Records Center, Military Personnel Records, 9700 Page avenue St. Louis Missouri 63132
(See Attachment National Personnel Records Center)
- United States Forces in Southeast Asia, 1950-1975 (Record Group 472)
Box # 1, 2, 3, 4, 5, 6, 7, 8,
 - 4th Bn. 21st Inf new request from NARA
ACOS (S2/23) DAILY JOURNAL 04 16 1968 – 04 30 1969 Box 429
Both request are located at National Archives and Records Administration
8601 Adelphi road
College Park, Maryland 20740-6001 (see attachment National Archives and Records Administration)
- Medical Records
VA Medical center
ATTN: Release of Records
3900 Woodland Ave
Philadelphia PA 19104
For Harry Pruitt Service # US52812130 - SS# [REDACTED]-1005
- All Record relating to Harry Pruitt Service # US52812130 – SS# [REDACTED] 1005
Department of Veterans Affairs
Philadelphia Regional Office
5000 Wissahickon Ave
Philadelphia PA 19101
- All Records pertaining to Harry Pruitt Service#US52812130 SS# [REDACTED] 1005
4th Plat CO B 4BN 1st Bde
21 July 1967 – 21 September 1967
United States Army Training Center

FT. Bragg, NC 28310

- All records pertaining to Harry Pruitt Service# US52812130 SS# [REDACTED] 1005
September – October-November 1967
United States Army Training Center
FT Dix NJ
- Medical Records
ATTN: release of Information for Harry Pruitt Service #US52812130
SS# [REDACTED] 10056
Wamack Army Medical Center
CDR.MCXC USASMED DAC
ATTN: Willis
Building 4-2817; Fort Bragg NC28310
- Records pertaining to Harry Pruitt Service# US52812130 SS# [REDACTED] 1005
USAR CONTROL GROUP (ANNUAL TRAINING) USAAC , ST LOUIS
MISSOURI

I request a waiver of all fees for this request because my military records were in the area that suffered the most damage in the fire at the National personnel Records Center in 1973, thru the failure of the Agency to protect, secure, and document my records. The Department of Veterans Affairs has stated that it will not pay for documentation and that the burden of proof is on me. I believe that to charge a veteran to rebuild in military record is unfair and the cost should not be placed on me. The information I am requesting will only be given to me and the Department of Veterans affairs.

I ask that my request receive expedited processing because the Department of Veterans Affairs has been processing by claim since Oct 2007 and my claim needs more verification if it is to be handled correctly and prudently. As you can see from my attachments that I have tried to get the documents need but I was only recently informed of the FOIA. I am at this time a patient in the Day Hospital in the Veterans Hospital in Houston TX being treated for PTSD, Hep C and other illnesses related to my Military Service.

I also include a telephone number and E mail address at which I can be contacted, if necessary, to discuss any aspect of my request.

Phone 832 250 9614

E mail harrypruitt@sbcglobal.net

Thank you for your consideration of this request.

Sincerely,

Harry C Pruitt

34 Cypress Bayou Court, The Woodlands, TX 77382





National Personnel Records Center

Military Personnel Records, 9700 Page Avenue St. Louis, Missouri 63132-5100

October 9, 2008

HARRY PRUITT
34 CYPRESS BAYOU CT
THE WOODLANDS, TX 77382

RE: Veteran's Name: **PRUITT, Harry C**
 SSN/SN: *******005**
 Request Number: **1-5003176902**

Dear Sir or Madam:

The record needed to answer your inquiry is not in our files. If the record were here on July 12, 1973, it would have been in the area that suffered the most damage in the fire on that date and may have been destroyed. The fire destroyed the major portion of records of Army military personnel for the period 1912 through 1959, and records of Air Force personnel with surnames Hubbard through Z for the period 1947 through 1963. Fortunately, there are alternate records sources that often contain information which can be used to reconstruct service record data lost in the fire; however, complete records cannot be reconstructed.

There is a possibility that prior to the fire, the military medical records may have been sent to the Department of Veterans Affairs (VA). We suggest contacting the nearest VA Regional Office for assistance. You may call: **1-800-827-1000**.

If the VA does not have the military medical records, we can make a search of alternate records sources. We will conduct a search for information about each illness or injury while in the military service, if the approximate dates (month, or season, and year) of treatment and the complete organizations (company, battalion, regiment, division/squadron, group, wing, etc.) are provided. Please complete the enclosed NA Form 13055, Request for Information Needed to Reconstruct Medical Data. It is important that as much information as possible is provided so we can identify those alternate records sources which may contain the information needed. If the medical records are not on file at the VA, return the NA Form 13055 to this Center and we will make every effort to reconstruct medical information using the resources available.

If you have questions or comments regarding this response, you may contact us at 314-801-0800 or by mail at the address shown in the letterhead above. If you contact us, please reference the Request Number listed above. If you are a veteran, or a deceased veteran's next of kin, please consider submitting your future requests online by visiting us at <http://vetrecs.archives.gov>.

Sincerely,


PATRICIA A. BRADLEY
Archives Technician (IA)

Enclosure(s)



**We Value Our
Veterans' Privacy**
*Let us know if we have
failed to protect it.*



National Personnel Records Center

Military Personnel Records, 9700 Page Avenue St. Louis, Missouri 63132-5100

December 8, 2008

HARRY PRUITT
34 CYPRESS BAYOU CT
WOODLANDS, TX 77382

RE: **Veteran's Name: PRUITT, Harry C**
 SSN/SN: ***005**
 Request Number: 1-4997726219

Dear Sir or Madam:

Thank you for contacting the National Personnel Records Center. A search of inpatient clinical records requested produced negative results.

We are pleased to inform you that morning reports and rosters for the HHC 4/21 INF LIB AMERICAL DIV DUC PHO RVN from May 1969-August 1969 are on file at this center. However, microfilmed tapes for 1969 and later are not available for review as they contain social security numbers.

Unfortunately, the National Personnel Records Center is neither staffed nor budgeted to perform the extensive research necessary to fulfill your request, but you or your designated representative are welcome to visit our facility to review morning reports personally. To do so, you must first obtain written authorization from the Department of the Army. Authorization may be obtained by writing: **Department of the Army, Freedom of Information and Privacy Act Office, 7701 Telegraph Road, Suite 144, Alexandria, VA 22315-3905**. We must receive written authorization from the above office prior to your visit (or the visit of your designated representative). If you are unable to visit our center, you may wish to contact someone to conduct this research for you. A list of independent researchers for hire is posted on our website at <http://www.archives.gov/research/hire-help>.

Once you have received written authorization from the Army, mail a copy of the authorization to: **National Personnel Records Center, Attn: Larry Evans, Organizational Records, 9700 Page Ave., St. Louis, MO 63132-5100**. Approximately four weeks after mailing the authorization phone Mr. Evans at 1-314-801-9011 to set up an appointment.

There are fees assessed in providing access to Organizational Records. The following fees will apply:

Searching and Processing: \$13.25 per hour
Copies (first six pages): \$3.50
Each Additional Page: \$.10

Minimum Charge: \$8.30

A deposit of \$8.30 is required before we begin to search. You will be billed for additional searching/photocopying costs over the minimum. All remittances should be made payable to the National Personnel Records Center.

Additional Army historical records may be on file at the **U.S. Army Heritage and Education Center, Attn: Patron Services Division, 950 Soldiers Drive, Carlisle, PA 17013-5021**, the **New York Public Library, Fifth Avenue and 42nd Street, New York, NY 10018**, or the **U.S. Army Center of Military History, 103 3rd Avenue, Fort Lesley J. McNair, DC 20319-5058**. Although unit histories do not normally include information about specific personnel, they will show the unit's activities and participation during the war. We suggest contacting those addresses, with the specific unit designation, for possible information pertaining to the unit activities of the organization you are interested in.

If you have questions or comments regarding this response, you may contact us at 314-801-0800 or by mail at the address shown in the letterhead above. If you contact us, please reference the Request Number listed above. If you are a veteran, or a deceased veteran's next of kin, please consider submitting your future requests online by visiting us at <http://vetrecs.archives.gov>.

Sincerely,


PATRICIA A. BRADLEY
Archives Technician (1A)



**We Value Our
Veterans' Privacy**
*Let us know if we have
failed to protect it.*



National Archives and Records Administration

8601 Adelphi Road
College Park, Maryland
20740-6001

December 31, 2008

Harry C. Pruitt
34 Cypress Bayou Court
The Woodlands, TX 77382

NWCTR 09-02520

Dear Mr. Pruitt:

This is in response to your recent inquiry to the National Archives concerning the 4th Battalion, 21st Infantry, 11th Light Infantry Brigade for the period of April 8, 1968 to April 9, 1969.

In many cases where personnel records were destroyed in the 1973 fire, proof of service can be provided from other records such as morning reports, payrolls, and military orders, and a certificate of military service will be issued. We suggest you make inquiry of the National Personnel Records Center, using the enclosed Standard Form 180.

We located material relating to the 4th Battalion, 21st Infantry, 11th Light Infantry Brigade for the period of April 8, 1968 to April 9, 1969 among the Records of the United States Forces in Southeast Asia, 1950-1975 (Record Group 472). Enclosed is a copy of a box list for these records. Please let us know which files and dates you would like copied and we will provide a price quote based on a page count. Each box contains approximately 1,000 pages of documents. Our current fee for electrostatic (paper) copies which is \$0.75 per page with a minimum mail order fee of \$15.00.

If you will let us know more precisely what event or events you are seeking to document, as well as approximately when they occurred, we will gladly search the records further on your behalf. Enclosed is a copy of the Vietnam Casualty List from the Coffelt Database for the 4th Battalion, 21st Infantry unit for the period of April 8, 1968 to April 9, 1969.

We regret any hardship that visiting our research room may cause you, but the scope of your research, combined with our staffing limitations make this the most efficient way to provide you with professional archival reference service. A list of private researchers who are familiar with National Archives facilities is available on our web site at <http://www.archives.gov/research/hire-help/index.html>.

Sincerely,

JASON D. STATON
Archives II Textual Reference Staff
Textual Archives Services Division

RG 472 UNITED STATES ARMY, VIETNAM.

11TH INFANTRY BRIGADE (LIGHT)

ASSISTANT CHIEFS OF STAFF S-2/S-3

DAILY JOURNAL

BOX NO. DESCRIPTION

10		01	01	1970
		02	15	1970
1		12	01	1967 ✓
		03	31	1968 ✓
2		04	01	1968 ✓
		05	31	1968 ✓
3		06	01	1968 ✓
		07	31	1968 ✓
4		08	01	1968 ✓
		09	30	1968 ✓
5		10	01	1968 ✓
		12	31	1968 ✓
6		01	01	1969 ✓
		03	31	1969 ✓
7		04	01	1969 ✓
		07	31	1969 ✓
8		08	01	1969
		10	31	1969
9		11	30	1969
		12	31	1969
10		01	01	1979 ?
		02	15	1970
11		02	16	1970
		03	31	1970
12		04	01	1970
		05	15	1970
13		05	16	1970
		06	30	1970
14		07	01	1970
		08	15	1970
15		08	16	1970
		09	30	1970
16		10	01	1970
		11	15	1970
17		11	16	1970
		12	31	1970

Organization	Office	Series	Beginning Date	Ending Date	Box
4th Bn., 21st Inf.					
0		Org. Hist.	1955	1971	422
HHC		DAILY JOURNAL	05 01 1969	12 31 1969	423
ACOS (S2)		INTELLIGENCE SUMMARIES	04 26 1969	12 31 1969	424
ACOS (S2)		INTELLIGENCE SUMMARIES	01 01 1970	06 08 1971	425
ACOS (S3)		AARS	1968	1971	426
ACOS (S3)		COMMAND REPORTS	1969	1971	427
ACOS (S3)		Op. Plan. Files	1969	1971	428
ACOS (S2/3)		DAILY JOURNAL	04 16 1968	04 30 1969	429
ACOS (S2/3)		DAILY JOURNAL	05 01 1969	04 30 1970	430
ACOS (S2/3)		DAILY JOURNAL	05 01 1970	10 31 1970	431
ACOS (S2/3)		DAILY JOURNAL	11 01 1970	02 28 1971	432
ACOS (S2/3)		DAILY JOURNAL	03 01 1971	06 08 1971	433

Location: 270:34/8/01 →

U.S. Department of Justice

Certification of Identity



Privacy Act Statement. In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Failure to furnish this information will result in no action being taken on the request. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to Director, Facilities and Administrative Services Staff, Justice Management Division, U.S. Department of Justice, Washington, DC 20530 and the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester ¹ Harry C Pruitt

Citizenship Status ² US Social Security Number ³ ██████ 1005

Current Address 34 Cypress Bayou Court The Woodlands TX 77382

Date of Birth 12 14 1947 Place of Birth Philadelphia PA

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature *Harry C Pruitt* Date 5 7 2009

OPTIONAL: Authorization to Release Information to Another Person

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

Print or Type Name

¹ Name of individual who is the subject of the record sought.

² Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552a(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5 U.S.C. Section 552, rather than Privacy Act requests, for individuals who are not United States citizens or aliens lawfully admitted for permanent residence.

³ Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

⁴ Signature of individual who is the subject of the record sought.

PERSONAL DATA	1. LAST NAME - FIRST NAME - MIDDLE NAME PRUITT HARRY				2. SERVICE NUMBER US 52 812 130				3. SOCIAL SECURITY NUMBER 1005			
	4. DEPARTMENT, COMPONENT AND BRANCH OR CLASS ARMY-AUS- SIGC				5a. GRADE, RATE OR RANK SP4 (T)		b. PAY GRADE E- 4		6. DATE OF RANK 18 Nov 69		7. DATE OF BIRTH 14 Dec 47	
	7. U. S. CITIZEN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				8. PLACE OF BIRTH (City and State or Country) Philadelphia Pennsylvania				9. DATE OF BIRTH 14 Dec 47			
SELECTIVE SERVICE DATA	10a. SELECTIVE SERVICE NUMBER 36 59 47 1359				b. SELECTIVE SERVICE LOCAL BOARD NUMBER, CITY, COUNTY, STATE AND ZIP CODE Local Board No 59 Upper Darby Pennsylvania				c. DATE INDUCTED 21 Jul 67			
	11a. TYPE OF TRANSFER OR DISCHARGE Transferred to USAR (See Item #16)				b. STATION OR INSTALLATION AT WHICH EFFECTED Fort Lewis Washington				c. REASON AND AUTHORITY Sec VII Chap 5 AR 635-200 SPN 411 Overseas Returnee			
TRANSFER OR DISCHARGE DATA	11b. EFFECTIVE DATE 9 Apr 69				d. TYPE OF CERTIFICATE ISSUED NONE				15. REENLISTMENT CODE RE - 1			
	12. CHARACTER OF SERVICE HONORABLE				13. CHARACTER OF SERVICE HONORABLE				14. DISTRICT, AREA COMMAND OR CORPS TO WHICH RESERVIST TRANSFERRED USAR CONTROL GROUP (ANNUAL TRAINING) USAAC ST LOUIS MISSOURI			
	16. TERMINAL DATE OF RESERVE/ UMT & S OBLIGATION 20 Jul 73				17. CURRENT ACTIVE SERVICE OTHER THAN BY INDUCTION a. SOURCE OF ENTRY: <input type="checkbox"/> ENLISTED (First Enlistment) <input type="checkbox"/> ENLISTED (Prior Service) <input type="checkbox"/> REENLISTED <input type="checkbox"/> OTHER NA				b. TERM OF SERVICE (Years) NA			
SERVICE DATA	18. PRIOR REGULAR ENLISTMENTS NONE				19. GRADE, RATE OR RANK AT TIME OF ENTRY INTO CURRENT ACTIVE SVC PVT E-1				20. PLACE OF ENTRY INTO CURRENT ACTIVE SERVICE (City and State) Philadelphia Pennsylvania			
	21. HOME OF RECORD AT TIME OF ENTRY INTO ACTIVE SERVICE (Street, RFD, City, County, State and ZIP Code) 320 Kingston Rd Upper Darby Pennsylvania				22. STATEMENT OF SERVICE a. CREDITABLE FOR BASIC PAY PURPOSES 1) NET SERVICE THIS PERIOD 1 9 21 2) OTHER SERVICE NONE 3) TOTAL (LINE (1) plus line (2)) 1 9 21 b. TOTAL ACTIVE SERVICE 1 9 21 c. FOREIGN AND/OR SEA SERVICE USARPAC 1 4 0				23. SPECIALTY NUMBER & TITLE 05B20 Radio Op			
	24. DECORATIONS, MEDALS, BADGES, COMMENDATIONS, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED NDSM VCM VSM MKM M-14 EXP M-16 2 O/S BARS				25. EDUCATION AND TRAINING COMPLETED NONE				26. NON-PAY PERIODS TIME LOST (Preceding Two Years) NONE			
	27. DAYS ACCRUED LEAVE PAID 11 1/2				28. VA CLAIM NUMBER NA				29. SERVICEMEN'S GROUP LIFE INSURANCE COVERAGE <input checked="" type="checkbox"/> \$10,000 <input type="checkbox"/> \$5,000 <input type="checkbox"/> NONE			
	30. REMARKS CIVILIAN EDUCATION: 12 BLOOD GROUP: O POS Item 5a: PFC (P) E_3 Aptd 20 Feb 68				31. PERMANENT ADDRESS FOR MAILING PURPOSES AFTER TRANSFER OR DISCHARGE (Street, RFD, City, County, State and ZIP Code) Same as 21				32. SIGNATURE OF PERSON BEING TRANSFERRED OR DISCHARGED <i>Harry Pruitt</i>			
	33. TYPED NAME, GRADE AND TITLE OF AUTHORIZING OFFICER M C CATES 1LT AGC ASST ADJUTANT				34. SIGNATURE OF OFFICER AUTHORIZED TO SIGN <i>M C Cates</i>				35. MONTH ALLOTMENT DISCONTINUED NA			

DD FORM 214 JUL 66

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE EFFECTIVE 1 JAN 67.

BOOK 58 PAGE 703

ARMED FORCES OF THE UNITED STATES
REPORT OF TRANSFER OR DISCHARGE

DEC 10 1969

1